

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JULIA HUBBARD and KAYLA	§	
GOEDINGHAUS,	§	
	§	
Plaintiffs,	§	
	§	
vs.	§	Civil Action No.
	§	SA-23-CA-580-FB
	§	
TRAMMELL S. CROW, JR., DR.	§	
BENJAMIN TODD ELLER,	§	
RICHARD HUBBARD, DR.	§	
MELISSA MILLER, DR. JOSEPH	§	
BOLIN, DR. SCOTT WOODS, DR.	§	
MRUGESHKUMAR SHAH,	§	
MICHAEL CAIN, COE JURACEK,	§	
PHILIP ECOB, H.J. COLE, TEXAS	§	
RANGER CODY MITCHELL,	§	
KURT KNEWITZ, PAUL	§	
PENDERGRASS, RALPH ROGERS,	§	
ROBERT PRUITT, SCOTT	§	
BRUNSON, CASE GROVER,	§	
RICHARD BUTLER, MARK	§	
MOLINA, MICHAEL HYNES, JR.,	§	
SHAWN MAYER, JADE MAYER,	§	
RCI HOSPITALITY HOLDINGS,	§	
INC., INTEGRITY BASED	§	
MARKETING, LLC, STORM	§	
FITNESS NUTRITION, LLC,	§	
ULTRA COMBAT NUTRITION,	§	
LLC, ECOLOFT HOMES LLC,	§	
ELEVTE WELLNESS PARTNERS	§	
LLC, DOE INDIVIDUALS 1-20, and	§	
DOE COMPANIES 1-20,	§	
	§	
Defendants.	§	
	§	

PLAINTIFFS' MOTION FOR ADDITIONAL TIME TO SERVE AND FILE A  
RESPONSE TO DEFENDANT ELLER'S MOTION FOR RECONSIDERATION

**TO THIS HONORABLE COURT, AND ALL PARTIES AND THEIR  
ATTORNEYS OF RECORD:**

Plaintiffs Julia Hubbard and Kayla Goedinghaus (together, “Plaintiffs”) move this Court for an order enlarging Plaintiffs’ time to respond the Motion for Reconsideration (Dkt. No. 257) (the “Underlying Motion”) of Defendant Dr. Benjamin Todd Eller to January 19, 2024 (“Defendant Eller”) -- with the consent of Defendant Eller’s attorneys.

The Underlying Motion was served and filed via ECF on or about December 15, 2023.

On December 19, 2023, the undersigned exchanged emails with Indira J. Cameron-Banks, Esq., attorney for Defendant Eller, who agreed in principle to an extension of Plaintiffs’ time to respond to the Underlying Motion.

On January 2, 2024, Michael Weiner of the undersigned’s office sent an email to Ms. Cameron-Banks asking for her consent to an enlargement of time for plaintiff to respond to the Underlying Motion until on or before January 19, 2024, which Ms. Cameron-Banks courteously agreed to by an email dated January 3, 2024.

There have been no previous motions for extensions of time to respond to the Underlying Motion, nor would any party be prejudiced by a grant of the requested extension.

A proposed form of the order accompanies this motion.

**WHEREFORE**, Plaintiffs respectfully request that the within motion be granted and the Plaintiffs’ time to respond to the Underlying Motion be extended until January 19, 2024.

Respectfully submitted,

*s/ Matthew W. Schmidt*

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Matthew W. Schmidt\*

**BALESTRIERE FARIELLO**

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\* Appearing *pro hac vice* pursuant to Order  
Entered June 14, 2023 (Dkt. No. 169)

**CERTIFICATE OF SERVICE**

I hereby certify that on January 4, 2024, a copy of the foregoing document was filed electronically with the Clerk of the Court and served on all counsel of record using the CM/ECF system.

*s/ Sophie Saydah*

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Sophie Saydah